

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

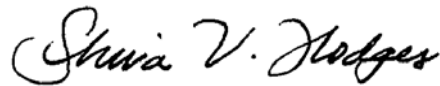
Retha Warren,)	C/A No.: 1:14-1985-DCN-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Commissioner of Social Security)	
Administration,)	
)	
Defendant.)	
)	

This appeal from a denial of social security benefits is before the court for a Report and Recommendation (“Report”) pursuant to Local Civ. Rule 73.02(B)(2)(a) (D.S.C.). Through a complaint filed on May 19, 2014, Plaintiff brought this action pursuant to 42 U.S.C. § 405(g) and § 1383(c)(3) to obtain judicial review of the final decision of the Commissioner of Social Security (“Commissioner”) denying her claim for benefits. [ECF No. 1]. The Commissioner filed an answer on September 29, 2014, making Plaintiff’s brief due by November 3, 2014. [ECF No. 8]. On November 3, 2014, Plaintiff filed a motion for a 60-day extension to file her brief. [ECF No. 10]. The undersigned granted Plaintiff’s motion, making her brief due by January 5, 2015. [ECF No. 11]. Plaintiff failed to file a brief by January 5, 2015. On January 6, 2015, the undersigned entered an order directing Plaintiff to advise the court whether she wished to continue her case and to file a brief by January 13, 2015. [ECF No. 13]. Plaintiff failed to file a brief by January 13, 2015. On January 14, 2015, Plaintiff filed a second motion for an extension of time, requesting an additional 15 days to file her brief. [ECF No. 15]. The

undersigned entered an order granting Plaintiff's motion and directing that Plaintiff's brief be filed by January 29, 2015. [ECF No. 16]. Plaintiff failed to file her brief within the requisite period.

The Local Civil Rules of this court allow the Commissioner 40 days after service of a plaintiff's brief to file a responsive brief. Local Civ. Rule 83.VII.05 (D.S.C.). As Plaintiff has elected not to file a brief, the Commissioner may file a brief supporting her decision by March 11, 2015. The court will then decide the case on the record.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Shiva V. Hodges". The signature is written in a cursive, flowing style.

January 30, 2015
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge